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April 14, 2003

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VIA FACSIMILE

David P. Blanke, Esq.
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The Terrace 7
2801 Via Fortuna
Suite 100
Austin, Texas 78746

Re: *Baylor College of Medicine, et al. v. Clontech Laboratories, Inc. v. Invitrogen Corp.*
Cause No. 2001-61352

Dear David:

Further to my request at the conclusion of the April 14, 2003 deposition of Charles Lipsey, please provide us with the following documents immediately:

- (1) the exhibits marked at Ruo Bo Zhang's deposition, and
- (2) all documents relating to all continuations from or other U.S. patent applications related to the '808 patent

With regard to the latter request, we are aware that at least one such continuation application exists. In particular, as shown on the enclosed Patent Application Information Retrieval search of continuity data, U.S. Patent Application 09/122,384 is a pending continuation application from the application that matured into the '808 patent. Clontech long ago requested information pertaining to Baylor's '808 patent. Baylor chose to object to providing such information and required Clontech to file a (pending) Motion to Compel. As demonstrated in the questions you posed to Mr. Lipsey, these documents are relevant to the claims and defenses in this action.

Please let us know when we may expect to receive the requested documents.

Very truly,

Richard J. Oparil

Enclosures

cc: Glenn A. Ballard, Jr., Esq.



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Search results for patent number: 5,851,808	
Application Number:	08/864,224
Filing or 371(c) Date:	02-28-1997
Issue Date of Patent:	12-22-1998
Examiner Name:	RAILEY, JOHNNY
Earliest Publication No.:	
Earliest Publication Date:	
Confirmation Number:	6512

[File Contents History](#)[Full-text and Images](#)[Retrieval Maint Fees To Pay](#)[View Maint. Payment Windows](#)[Payment Window: \[4\]](#)[View Maint. Statement](#)*Maintenance Fees Available: Mon-Fri 5:30 AM to Midnight, Sat-Sun-Hol 7:30 AM to 8:00 PM E.T.*Information
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Parent Continuity Data

Description	Parent Number	Patent Filing or 371(c) Date	Parent Status
No Parent Continuity Data Found.			

Child Continuity Data

09/122,384 filed on 07-24-1998 which is Pending claims the benefit of 08/864,224



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